



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

915 WRIT PETITION NO. 4498 OF 2024

MADARBI JALALSAB SAYYAD

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...

Shri Thorat Chandrakant R., Advocate for the Petitioner.
Ms.Neha B. Kamble, AGP for Respondent Nos.1 and 2/State.

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**CORAM : RAVINDRA V. GHUGE
&
R.M. JOSHI, JJ.**

DATE :- 30th April, 2024

Per Court :-

1. The Petitioner is a Sarpanch. His claim of belonging to “Chhapparband”, Vimukta Jati-A is pending validation. He has been elected as the Sarpanch on 25.12.2022. The law laid down in *Anant H. Ulahalkar Vs Chief Election Commissioner, 2017 (1) MhLJ 431 (FB)* and *Shankar Raghunath Devre (Patil) Vs State, (2019) 3 SCC 220*, would apply to the case of the Petitioner. The State of Maharashtra has granted extension to the present Petitioner, whose elected office is protected till 10.07.2024.

2. We have heard the learned Advocate for the Petitioner and the learned AGP. There is no reason for this Court to interject in the validation proceedings by entertaining the grievance of re-inquiry by the vigilance cell. When the Petitioner has been issued with the show cause notice by the Vigilance Cell and is called upon to explain, the Petitioner is expected to face the vigilance cell and not approach this Court raising such grounds by which, the inquiry could be postponed or delayed. The law protects the Petitioner to the extent of granting him every opportunity of hearing before the competent Committee. All contentions of the Petitioner are kept open to be considered by the Committee.

3. In view of the above, we do not deem it appropriate to entertain **this Writ Petition and the same is, therefore, dismissed.** Needless to state, the Petitioner is at liberty to submit his detailed reply and raise all contentions and grounds before the competent Committee/ Authority, as per the procedure laid down in law.